

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE DOE RUN RESOURCES CORPORATION d/b/a THE
DOE RUN COMPANY,

Plaintiff,

-against-

BHL RESOURCES LIMITED, INC., and JOHN DOES 1-5,

Defendants.

AUG 2 2008

CLERK OF COURT
WILLIAM H. FOLEY
U.S.D.J.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/3/08

08-cv-1956

STIPULATION AND ORDER

WHEREAS Defendant BHL Resources Limited, Inc. ("BHL") requested leave to file a motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(c); and

WHEREAS Plaintiff requested leave to file a cross-motion pursuant to Fed. R. Civ. P. 4(f)(3), for an order allowing service of process by an alternative method; and

WHEREAS the Court held an initial conference on August 8, 2008, at which time it direct the parties to submit this stipulation.

IT IS STIPULATED AND AGREED by and among the undersigned counsel, subject to the approval of the Court, that:

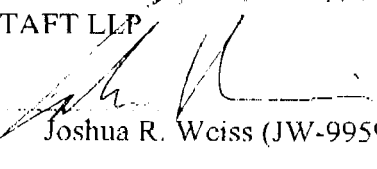

1. Plaintiff shall attempt to serve BHL with the summons and complaint in Panama, at the address listed in the contract at issue in this action, pursuant to the Inter-American Convention on Letters Rogatory (the "Convention").
2. If, by November 10, 2008, such service has not yet been completed, the Court will hold a status conference, on a date to be determined by the Court, to discuss the filing of the parties' respective motions pursuant to Fed. R. Civ. P. 12(c) and Fed. R. Civ. P. 4(f)(3).

3. One week prior to such status conference, the parties shall submit status letters explaining the results of the efforts to serve the defendants in accordance with Paragraph 1, hercof and renew, if necessary, their respective requests to make the motions referenced in the first and second whereas clauses hercof.


4. By entering into this stipulation, BHL does not waive or compromise its right to argue that any service previously made was insufficient or ineffective.

5. By entering into this stipulation and by agreeing to make service pursuant to the Convention, Plaintiff does not concede that any service made on BHL to date is insufficient, ineffective or a basis for dismissal of the complaint.

6. During the period when Plaintiff is attempting to serve BHL pursuant to the Convention, and after November 10, 2008, the parties shall confer in an attempt to reach agreement on an acceptable method of service.

CADWALADER, WICKERSHAM & TAFT LLP By:  Joshua R. Weiss (JW-9959) One World Financial Center New York, New York 10281 (T) (212) 504-6000 (F) (212) 504-6666 Attorneys for Plaintiff <i>The Doe Run Resources Company</i>	EISEMAN LEVINE LEHRHAUPT & KAKOYIANNIS, P.C. By:  Eric P. Heichel (EH-9940) 805 Third Avenue New York, NY 10022 (T) (212) 752-1000 (F) (212) 355-4608 Attorneys for Defendant <i>BHL Resources Limited, Inc.</i>
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SO ORDERED:


U.S.D.J.
8/24/08

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Joshua R. Weiss	212 504 6666	212 504 6225
	Pages: 3	Date: 08/28/08

For Immediate Delivery To:	Fax:	Tel:
The Honorable William Pauley United States District Judge Attn: Justin	212.805.6390	

Eric P. Heichel, Esq.	212.355.4608
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Message:

Justin:

As requested, attached is a revised stipulation in connection with:

The Doe Run Resources Corp. v. BHL Resources, Limited, Inc., 08-cv-1956

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